

**CERTIFICATE OF SERVICE**

I, Stephan E. Hornung, hereby certify that I am, and at all times herein mentioned was, a citizen of the United States and employed in the County of New York; that I am over the age of 18 years and not a party to the within action or proceeding; that my business address is One Battery Park Plaza, New York, New York 10004; and that on this 22th day of December, 2008, I caused copies of the foregoing Notice of Motion to Dismiss by Lazard Frères & Co. LLC, Memorandum of Lazard Frères & Co. LLC in Support of Motion to Dismiss, and Declaration of Kenneth E. Lee in Support of Lazard Frères & Co. LLC's Motion to Dismiss to be filed electronically by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record who have registered to receive notices from the Court under the CM/ECF system for docket 08-CV-7900 (BSJ) (THK).

I further certify under penalty of perjury that the foregoing is true and correct.

Dated: December 22, 2008  
New York, New York

/s/ Stephan E. Hornung  
Stephan E. Hornung